United Nations A/HRC/WG.6/27/IND/1

General Assembly

Distr.: General
23 February 2017

Original: English

Human Rights Council
Working Group on the Universal Periodic Review
Twenty-seventh session
1–12 May 2017

National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21*

India

* The present document has been reproduced as received. Its content does not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations.

GE.17-03091(E)

Please recycle

Introduction

1. With one-sixth of the global population, India is the world's largest democracy that is home to a multi-ethnic, multi-religious, multi-linguistic population that has lived together for millennia with an ethos of respect for diversity and plurality. Supported by a rights oriented constitutional framework, a secular polity, and independent judiciary, a range of national and state level commissions that monitor compliance with human rights, a free press, and a vibrant and vocal civil society, India continues its endeavours towards fulfilling its human rights obligations. Recognizing the universality, indivisibility and interrelatedness of all human rights, India places equal emphasis on the civil and political rights and freedoms of its citizens as well as their socio-economic development. Aware that historical factors as well as extant social structures can render certain communities more vulnerable to exclusion, marginalization and human rights violations, India prioritises, through a range of protective and affirmative measures, the attainment of liberty and development for all. In the spirit of leaving no one behind, India follows the motto of "*Sabka Saath, Sabka Vikas*" (all together and development for all).

I. Process for the preparation of the report

A. Approach

2. This national report has been prepared in compliance with the United Nations Human Rights Council Decision 17/119. This report emphasises measures that the State has undertaken for the protection, promotion and fulfilment of such commitments since the previous round of review. Where possible, the report catalogues the targets, achievements, shortfalls and indices for evaluating the effectiveness of State action. At the same time, India asserts that numeric measurement is not the only criteria for assessing its human rights record. For India, as for any other country, the realization of human rights is a work in progress, and this report documents the steps taken by the country towards this goal.

3. As far as possible, this report has been drafted in line with the informal guidance note issued by the OHCHR dated November 8, 2016. Most of the recommendations accepted by India in the previous review pertained to socio-economic rights which are subject to progressive realization through continuing action. Therefore, instead of classifying recommendations as full, partial or not implemented, this report uses the thematic clusters provided in Annex 2 of the guidance note as the framework for the report. Within each thematic cluster, the report first provides an overview of the recommendations accepted by India in the previous round and voluntary pledges made by India, if any. It then explains the advancements in implementing these recommendations/pledges. Further, under the same thematic heading, the report details any other emerging issue or development that falls within the scope of the theme but was not subject of an accepted recommendation or pledge.

4. The report aims to enable engagement, conversation, and dialogue on how best to proceed towards the shared goal of advancement of human rights, and to this end, highlights the achievements, challenges and constraints present in India's human rights journey.

B. Methodology

5. India believes in using the UPR national report drafting process as an opportunity to receive feedback on its laws and policies for advancing human rights. For this reason, India followed a broad-based consultative process in drafting the national report. The Government of India requested the National Law University, Delhi (NLU, Delhi) to assist with preparing the initial draft of the report. NLU, Delhi organized a series of national level consultations with civil society representatives, national human rights institutions and commissions, and academicians to aid in the identification of issues, achievements, challenges and constraints relating to advancing human rights in India. Government representatives attended all the consultations. They also attended five regional consultations and one National Consultation which were organized by the National Human Rights Commission (NHRC). A draft of the national report was published online for public comments. In a series of inter-ministerial meetings, the feedback received through this consultative process was relayed back to the relevant Ministries.

II. Implementation of accepted recommendations and voluntary pledges, other developments

A. Cross cutting issues

Inclusive sustainable development

6. At the second review, India committed to continuing its efforts towards socio-economic development and poverty eradication. It agreed to provide more resources for the enjoyment of economic and social rights, and to make efforts towards ensuring that such rights are available to all, especially vulnerable groups like women, children, poor people and minorities. Towards this end, the country also agreed to put in place monitoring mechanisms to ensure that the objectives of its progressive policies are achieved. India has also pledged to continue to foster a culture of transparency, openness and accountability in the functioning of the Government, as enacted in the Right to Information Act.

7. India attaches utmost priority to poverty eradication and achieving an inclusive sustainable development. Its policies and priorities mirror the 2030 Agenda for Sustainable Development.[1]

8. India believes that inclusive and equitable development is the key to securing a life of dignity, security, empowerment and freedom for all. For this reason, India has put in place a robust set of socio-economic policies to address the various basic needs of people, including health, education, housing, poverty alleviation, women empowerment, food security, social security measures and the like. Acknowledging the need for sustainable development, and the potential conflict between competitive growth and inclusive growth, India directs its policies towards enabling economic growth consistent with the imperative of ensuring that the benefits of such growth reaches all sections.

9. An example of this commitment is the Stand-Up India Scheme which was launched in 2016 to facilitate bank loans to members of Scheduled Castes, Scheduled Tribes and women entrepreneurs for setting up greenfield enterprises in manufacturing, service or trading sectors.

10. The 2005 Right to Information Act has been a flagship legislation to vastly improve government accountability and transparency. The Government is committed to supporting the users of the Act against harassment and injury. In furtherance of this commitment, the Whistleblowers Protection Act was passed in 2014.

11. To aid efforts towards reducing corruption and increasing accountability, the Lokpal and Lokayuktas Act, 2013 was enacted. The Act establishes ombudsmen for inquiring into allegations of corruption against public functionaries.

12. To prevent leakages due to corruption, and to ensure the targeted delivery of scheme benefits, India has introduced the Aadhaar Unique Identification Number, which provides single window access to a range of information about beneficiaries and helps in identification of beneficiaries through the use of biometric data, with the aim of ensuring that benefits and subsidies reach the right person. To further institutionalize the project, the Aadhaar (Targeted Delivery of Financial and other Subsidies, Benefits and Services) Act, 2016 was passed by Parliament. As of date, 1.08 billion Aadhaar cards have been issued.

13. A key plank of India's development agenda, as well as of its push towards good governance and the creation of a knowledge society is the "Digital India" programme. Launched on 1st July 2015, the programme has the vision to transform India into a digitally empowered society through increased connectivity, increased access to knowledge, delivery of services, and e-governance through digital means.

Climate change and environment

14. India is committed to continuing its efforts in relation to its environmental policies. India has articulated its belief in ethical and people centric approach to climate change through the concept of "Climate Justice". The Supreme Court of India has also recognized the right to clean environment as part of an individual's right to life guaranteed by the Constitution of India.[2]

15. India has taken a lead to push for strong domestic climate action for a more sustainable development pathway. India is striving to provide access to modern and clean energy sources to all its people.

16. India has prioritized renewable energy technology and has launched an ambitious domestic effort to achieve 40 percent cumulative electric power installed capacity from non-fossil fuel based energy resources by 2030[3].

17. India facilitated the entry into force of the Paris Agreement by ratifying it in October 2016, and thereby renewing its commitment to achieve its Nationally Determined Contributions (NDC).

18. In addition to the bold and ambitious domestic action, India pushed for the acceptance of the principles of historical responsibility, equity, and Common But Differentiated Responsibility (CBDR) to defend the interests of the people in developing countries.

19. India played a constructive role at the Kigali meeting in October 2016 to amend the Montreal Protocol to include HFCs in its ambit.

20. Dedicated policies have been launched to sensitize citizens on developing city-forests and to promote climate-smart green cities.[4] India has been enthused by the growth in forest cover from 21.05% in 2011 to 21.34% at present, and will endeavour to increase it further.

21. Water resources conservation is a priority for the Government. Concerned about the continuing pollution of water bodies and depletion of ground water, innovative schemes have been launched to provide better irrigation facilities[5] and conservation of wetlands,[6] existing water bodies, and their respective ecosystems.[7] The Model Groundwater Bill, circulated to states by the Central Government, has so far been adopted by 15 states.[8]

22. India has launched initiatives to ensure cleaner air in its cities.[9] A National Air Quality Index has also been launched by the Government for citizens' awareness regarding

air quality in their vicinity. India remains concerned about the quality of air, and is committed to taking all necessary measures to address this issue. The Supreme Court of India and the National Green Tribunal are also monitoring the issue.

23. In recognition of its commitment to sustainable development, India is working towards moving to cleaner sources of energy for its developmental activities. Continuous efforts are being made to provide affordable and clean energy including through targeted schemes[10] and separate budgetary allocations.[11] India has been focusing on renewable energy technology including nuclear energy.

24. In compliance with its obligations under the UNFCCC, India launched the Climate Change Action Programme, 2014 which aims to create and strengthen the scientific and analytical capacity for assessment of climate change and provide a framework for implementation of the National & State Action Plans on Climate Change. India has already submitted two national communications to UNFCCC providing details of its compliance with the Convention.

25. Recognizing that implementation of environmental related norms requires improvement, India continues to work towards their effective enforcement.

Human rights and counter-terrorism

1. Training security personnel on human rights

26. India committed to continue and intensify its efforts towards training and orientation of security and other law enforcement officers towards human rights.

27. India remains committed to instilling human rights values in its security personnel. Indian Security forces receive training in human rights as well as in humane methods of security enforcement through programmes developed by the NHRC through training programmes at police academies, army training institutes, and other such agencies.

28. India remains committed to work with other countries to finalise the Comprehensive Convention on International Terrorism.

2. Other issues

29. Concerns have been raised with regard to Armed Forces Special Powers Act (AFSPA) however, AFSPA is applied only to disturbed areas where the ordinary law and order machinery is deemed insufficient to deal with exigent circumstances like insurgency. Whether or not AFSPA should be repealed or the provision for sanctions should continue, is a matter of on-going and vibrant political debate in the country. While on the one hand in 2015 one state withdrew the application of AFSPA to that state, in another the judiciary has asked the Government to consider imposing AFSPA in parts of that state.[12] A Government appointed committee recommended that there should be no sanction requirement for prosecutions of security personnel for sexual offences.

30. The Supreme Court of India has upheld the constitutionality of AFSPA and has laid down strict guidelines for exercise of powers under AFSPA.[13] Recently, the Court held that use of excessive force or retaliatory force by the armed forces of the Union is not permissible in the course of the discharge of their duty under the Act, and that AFSPA does not allow blanket immunity to perpetrators of unjustified deaths or offences.[14]

31. There is a view that provisions of the Unlawful Activities (Prevention) Act, 1967, which allow the state to detain a person without charge for up to 180 days and limit the power of Courts to grant bail in pending cases, could be misused.[15] These provisions have been enacted in order to deal with the exigent threat of terror and insurgency. Recognizing

that state response to these threats cannot violate human rights standards, India is committed to invoking these powers only in exceptional circumstances.

B. Civil and political rights

Right to life, liberty and security of the person

1. Torture

32. India committed to ratify the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

33. India remains committed to ratifying the Convention. The Law Commission of India is examining the changes required to domestic law prior to ratification. The Government has requested the Law Commission to examine and give a comprehensive report covering all aspects of criminal law so that comprehensive amendments can be made in Indian Penal Code (IPC), Code of Criminal Procedures (CrPC) and Indian Evidence Act, etc. In the meantime, acts of torture remain punishable under various provisions of the Indian Penal Code.[16] The higher judiciary also serves as a bulwark against such violations.

2. Enforced disappearances

34. India pledged to ratify the International Convention for the Protection of All Persons from Enforced Disappearances.

35. India is a signatory to the Convention and is concerned with enforced disappearances. To address this issue, India is cooperating with the Working Group on Enforced or Involuntary Disappearances by reporting facts of cases from time to time. To protect against disappearances from police custody, the NHRC has also issued extensive guidelines on arrest to supplement guidelines issued by the Supreme Court in this regard. Through its training programmes, the NHRC continues to educate police and security personnel to prevent such violations.

3. Right against arbitrary arrest and detention

36. To strengthen the constitutional guarantee against arbitrary arrest and detention, and in order to limit the abuse of the arrest power, the Supreme Court issued guidelines in 2014 directing police officials not to arrest persons for offences carrying sentences of seven years or less, except in exceptional circumstances, and directed judicial magistrates to ensure compliance with arrest norms.[17]

37. The National Human Rights Commission (NHRC) regularly monitors complaints of illegal arrest and detention. Between 2012 and 2016, NHRC registered 2,361 cases of illegal arrest, of which 1,075 were disposed of in this time period. NHRC issued directions in 82 cases and compensation in 22 cases. 5,370 cases of unlawful detention were registered by NHRC in this time period, of which 2,297 were disposed of. NHRC issued directions in 198 cases and recommended monetary relief in 46 cases. In both instances a bulk of the cases were transferred to State Human Rights Commissions.

4. Extra judicial killings

38. India remains cognizant of the human rights implications of extra-judicial killings, and has taken measures towards ensuring accountability for such violations. The Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions recognized in his report on India that there has been a general drop in unlawful killings in the last few years. NHRC has in place a robust monitoring mechanism for cases of extrajudicial executions. In 2014,

the Supreme Court of India issued extensive guidelines for effective and independent investigation of such deaths, including mandatory registration of first information reports in cases of encounter deaths, magisterial inquiry into the case, investigation either by the Crime Investigation Department or another independent agency, and prohibiting out-of-turn promotions or gallantry awards for police officers involved in such killings until the genuineness of the encounter is determined.[18] The judiciary also monitors investigation in specific instances, as for example in the *Extra Judicial Execution Victim Families Association* case, where the Court held that every death caused by armed forces in a disturbed area shall be enquired into by NHRC and CID.[19]

5. *Death penalty*

39. Indian law requires that the death penalty should be imposed only in the "rarest of rare cases."[20] Only where the crime committed is so heinous as to 'shock the conscience of society'. In 2015, the Law Commission of India reported that the rarest of rare doctrine does not provide a clear, consistent, and non-arbitrary standard for determining who should be given the death sentence. The Commission recommended the eventual abolition of the death penalty for all crimes, and as a first step for all crimes except terror and waging war. The Report of the Law Commission of India is under consideration by the Government.

40. Three terrorists were awarded death sentence in India between 2012 and 2015. Subsequent to fair trial under rule of law, all three were convicted of terror related offences that had resulted in loss of lives of innocent people and threatened peace and security of the nation.

41. Cognizant of concerns that long periods of incarceration on death row pending a decision on clemency amounts to torture, the Supreme Court has held that such delay is a ground for commuting the death sentence. The Court has also laid down various guidelines for greater procedural safeguards for persons under sentence of death.[21]

Administration of justice and access to justice

42. India agreed to further promote equal access to justice for all, committed to working towards reducing backlog and delays in the administration of cases in courts, and providing more legal aid to the poor and marginalized.

43. To address judicial delays and backlogs, the Law Commission of India has studied and made recommendations on institutional changes to facilitate timely justice.[22] This report is under active consideration by the Government and the Supreme Court of India. The Government of India is also coordinating with the judiciary to explore other avenues for addressing this concern. One such effort is through the National Mission for Justice Delivery and Legal Reforms which has been launched with the specific aim of reducing delays and arrears in the judicial system. Through its effort, the sanctioned strength of judicial officers increased from 17,715 at the end of 2012 to 21,320 as of June 2016.

44. Access to justice remains a priority for India. Legal Services Authorities across the country provide legal aid to marginalized and vulnerable communities. Between 2012–13 and 2016–17 (up to September, 2016), 6.12 million eligible persons including women, children, persons in custody, persons belonging to Scheduled Castes/Scheduled Tribes and backward classes, have been provided free legal aid. Recently, legal aid has been extended to persons under sentence of death, to enable them to make effective representations for clemency.[23] The Supreme Court has issued directions to legal services authorities for maintaining the quality of legal aid provided by them.[24] In addition, newly set up One-Stop Crisis Centres provide survivors of sexual violence with legal aid.

45. The Government of India has partnered with UNDP to facilitate access to justice for marginalized communities.[25]

46. To address the special legal needs of children, the National Legal Services Authority has formulated the NALSA (Child Friendly Legal Services to Children and their Protection) Scheme, 2015.[26]

47. NALSA has also introduced the NALSA (Legal Services to the Mentally Ill and Mentally Disabled Persons) Scheme, 2015 to provide legal aid and other assistance to mentally ill and mentally disabled persons in their interface with the legal system.

48. India has taken various steps to provide timely justice to persons accused of crime. The Government issued a directive to all state governments to implement Section 436A, Criminal Procedure Code to reduce overcrowding of prisons. It also recommended the constitution of under-trial review committees in every district to periodically assess cases of under-trial prisoners with a view to their early release from incarceration.

49. In order to ensure that conditions of incarceration in prisons across India are consistent with protecting the human rights and dignity of prisoners, regarding foods, clothing, sanitation and health, the Government approved a new Model Prison Manual 2016, which includes gender-specific health measures for women, gender sensitization of the prison staff, provisions for children of women prisoners, and the like. The Manual also provides for inspection of prisons and specifies the rights of prisoners sentenced to death. The Supreme Court has also taken cognizance of conditions of incarceration, and has directed prison officials to ensure that the prisoners live with basic human dignity regarding food, clothing, sanitation, and health.[27]

Fundamental freedoms and participation in public and political life

1. Freedom of speech and expression

50. India accepted a recommendation to ensure safe working environment for journalists.

51. India recognizes the centrality of free speech and expression to its constitutional order. At the same time, in order to protect the country's pluralistic character, its multi-ethnic and multi-religious social fabric, as well as to promote social harmony, a range of laws prohibit speech that has harmful social consequences.[28] Some of these laws, like those criminalizing defamation and sedition, have been upheld by the Supreme Court, which has found them compliant with the right to free speech.[29] The Supreme Court of India did strike down Section 66A of the Information Technology Act for being overbroad and impermissibly impacting the right to free speech and expression.[30]

52. The Press Council of India (PCI) works towards ensuring safety of journalists. It ensures that the freedom of the press is preserved and protected. It has set up a sub-committee and has submitted a report on this issue to the Government, which is currently under consideration. The PCI has issued letter in 2016 to all states/union territories to provide data of cases filed on the issues of threats/attacks/killings of journalists along with the current status of the cases. The Government has also taken cognizance of the need for gender specific measures for the protection of women journalists.

2. Human rights on the internet

53. India recognizes the importance of extending free speech guarantees to activities on the internet. At the same time recognizing the potential for misuse of the internet for inciting violence, spreading rumours and hatred or committing other illegal activities, In order to prevent arbitrary use of this power to block content on the internet, the Supreme Court of India has put in place various adequate procedural safeguards such as the right to appeal a blocking decision, and the requirement for reasons in writing for issuing a blocking order.[31]

3. *Right to privacy and surveillance*

54. Government of India has decided to set up the Centralized Monitoring System to automate the process of Lawful Interception & Monitoring of telecommunications. It is likely to be completely operationalized in 2017.

55. India believes that its surveillance programme furthers its national security interests, and that safeguards in the law, including safe transmission of content, requirement for authorization from senior officials, and the existence of a Review Committee to oversee such authorizations, are sufficient to address concerns regarding privacy and freedom of speech. However, in recognition of the potential of such a system to impinge on the freedom of speech, the Government is in the process of legislating on right to privacy.

4. *Human rights defenders*

56. India is committed to ensuring a safe working environment for people engaged in promoting and protection of human rights. The NHRC also treats the protection of Human Rights Defenders as a priority issue and has set up a platform for reporting rights violations and providing them compensation.

57. At the same time, India believes that the activities of the human rights defenders should be in conformity with the legal framework of the land and the rights guaranteed by our Constitution.

5. *Freedom of religion*

58. India committed to strengthening its efforts to guarantee freedom of religion to all.

59. Recognizing the importance of religious freedom for the safe and secure enjoyment of human rights and life with dignity for all, India remains committed to protecting its secular, multi-ethnic, multi-religious, pluralistic character, and combating instances of religious intolerance, violence and discrimination. The government is duty bound to ensure that there is complete freedom of faith and that everyone has the undeniable right to retain or adopt the religion of his or her choice without coercion. India views anti-conversion laws as important safeguards against coercion and inducement to convert or reconvert from one religion to another in a multi-religious society.

60. To strengthen its response for aiding victims of communal violence, the Government has enhanced compensation to victims of communal violence from Rs. 300,000 to Rs. 500,000. This is in addition to directions from courts, especially the Supreme Court, on rehabilitation packages and other responses for aiding victims of communal violence.

61. The Government of India has issued Communal Harmony Guidelines which lay down Standard Operating Procedures to deal with communal violence.

Combating all forms of human trafficking

62. India committed to reinforcing and accelerating its efforts towards combating human trafficking by implementing monitoring mechanisms to stop trafficking; and towards protecting and rehabilitating victims of trafficking.

63. Through amendments to its criminal laws, India now provides stringent punishment for trafficking.[32]

64. The Government of India has set up 330 Anti Human Trafficking Units in collaboration with UNODC, to provide an effective and coordinated law enforcement response to trafficking. To strengthen implementation of anti-trafficking laws, various training programmes for law enforcement officials as well as judges are conducted routinely.[33] The Supreme Court of India is also seized of the matter, and has directed state

governments to create standard operating procedures for responding to trafficking, particularly of children.[34]

65. India has entered into collaborations with neighbouring countries such as with Bangladesh, for bilateral cooperation for prevention of human trafficking between the countries.

66. In recognition of the special vulnerability of children to trafficking and related violations, the Government of India has launched operations to rescue missing children. Through Operation Smile and Operation Muskaan, over 28,000 children were rescued in 2015–2016 alone. The Khoya Paaya scheme enables citizen participation in tracking missing children.

67. Recognizing that a law enforcement response is only a partial step towards addressing the multiple human rights violations that a trafficked person suffers, India has also put in place various schemes for rehabilitation of survivors of trafficking.[35] Apart from the general schemes that seek to empower vulnerable persons who are most likely to be trafficked, India has put in place various schemes that provide measures tailored to the specific needs of trafficked persons through providing them legal services, shelter and counselling, amongst others.

68. To comprehensively address issues relating to human trafficking, the Government is in advanced consultations with stakeholders on a new Anti-Human Trafficking Bill.

69. India has also been working towards effective implementation of laws prohibiting and abolishing the system of bonded labour. The NHRC has a specific mandate in this regard. To ameliorate the conditions of persons engaged in bonded labour, the Government of India recently revised the Centrally Sponsored Scheme for Rehabilitation of Bonded Labourers. India is also working on strengthening social protections for such persons.

C. Economic, social and cultural rights

Right to social security

70. India agreed to continue its efforts and action in the promotion of social security and labour policy. It also agreed to further continue its efforts to spread the model of rural growth in the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA).

71. The Employees' Provident Fund (EPF) Scheme and the Employees State Insurance (ESI) Scheme continue to be the two major social security schemes for the organized sector. The Prime Minister has launched the 2nd Generation Reforms of the ESI Corporation for better coverage and implementation of the scheme. The EPF Scheme is calibrated regularly with a continuous expansion of benefits, including enhancements of the wage ceiling.

72. Since persons employed in the unorganized sector are most vulnerable to destitution in the absence of social security, this sector has been a priority area for India. The Government of India has launched and strengthened various schemes, most of them under the umbrella of the Unorganized Workers (Social Security) Act, 2008.[36] Under the flagship National Social Assistance Programme (NSAP), five schemes provide monetary and other assistance to the elderly, persons below the poverty line, widows and persons with disabilities.[37] Allocation of funds for the NSAP has increased from Rs. 84.47 billion in 2012–13 to Rs. 106.35 billion (approx.) in 2015. As of date, approximately Rs. 432.95 billion has been allocated for this project, and has reached approximately 144 million beneficiaries. Also, the Pradhan Mantri Atal Pension Yojana was launched in 2015 and is aimed primarily at the unorganized sector, though it is open to all citizens between the ages 18 and 40.[38]

73. In order to ameliorate vulnerabilities due to ill health, under the Rashtriya Swasthya Bima Yojana, smart card based cashless health insurance cover is provided to families below the poverty line, as well as to various categories of workers in the unorganized sector.[39]

74. The Government has launched several schemes to provide insurance protection to all citizens at a nominal sum. The Pradhan Mantri Suraksha Bima Yojna for accident insurance, and the Pradhan Mantri Jeevan Jyoti Bima Yojna for life insurance are two flagship insurance schemes of this nature. The Aam Aadmi Bima Yojana provides life insurance cover to those living below or marginally above the poverty line.[40]

75. The Government remains committed to better implementation of all these schemes in order to progressively provide a stronger social security net to its citizens.

Right to work and to just and favourable conditions of work

76. India committed to promoting the right to equal opportunity for work and at work.

77. India is in the process of consolidating existing labour laws into four codes[41] to ensure transparency and consistency across the board. Amendments are pending in Parliament to bring the existing Factories Act in line with technological advances and the fast-changing global economy. The aim is to achieve occupational safety, prevention of health hazards and diseases, regulatory compliance and transparency in inspection, and encouragement of labour-intensive enterprises.

78. The Government has overhauled the mechanism for evaluating compliance with labour laws. Through a Unified Labour Web Portal (Shram Suvidha Portal) employers now have to file returns detailing their compliance with labour laws. The Government believes the move from an inspection based mechanism to a self-reporting mechanism will streamline compliance with labour laws, and targeted inspection based on objective criteria will better protect rights of employees consistent with the developmental goals of the country.

79. While the Government is cognizant of demands for ratification of ILO Conventions 87 and 98 and recognises that this issue is critical, certain outstanding issues remain, particularly those relating to the scope of rights to be granted to government employees. India is in discussion with ILO as well as other member countries with similar legal norms to resolve these issues.

80. India's flagship employment programme MGNREGA, an entitlement based law covering the entire country. India is making active efforts to address leakages and resources availability problems. Allocation for the MGNREGA has consistently increased each year. The Government is enthused that women availed 57% of the 1.4 billion person days of work pursued under this Act. Apart from the MGNREGA, employment generation through cooperative training programmes has been extremely encouraging.[42]

81. After guaranteeing employment, as the next step, the Prime Minister has called upon the nation to transform India into the "Skill Capital" of the world through the "Skill India Initiative."[43] The youth are the main beneficiaries of the Skill India Initiative campaign. For the marginalised section, the Government launched the Seekho aur Kamao scheme in 2013. The Government of India has recently launched the Pradhan Mantri Kaushal Vikas Yojana which has imparted skills to 19 million youth so far. Through this and other schemes, the Government facilitates generation of, and access to, employment opportunities.[44] Through the National Urban Livelihood Mission, the Government enables economically vulnerable communities to organize themselves into Self Help Groups and to contribute to their skill development to facilitate salaried- or self-employment. Skills training under this mission has been imparted to 1.4 million beneficiaries in 2012–2015.[45]

Economic empowerment of women

82. India has taken various steps to promote equal participation by women in the workforce, to ensure a safe and dignified work environment, and to facilitate overall socio-economic empowerment of women. The Factories Act is being amended to remove discriminatory provisions, and to require employers to provide greater facilities for women employees.[46] In a radical move, India has decided to open combat roles to women in all sections of the military, at par with men.

83. To address low Labour Force Participation Rate and Worker Population Ratio of women as compared to men, India has introduced schemes and programmes to overcome the economic, social, and cultural barriers that hinder women's equal participation in the workforce.[47] For example, the National Rural Livelihoods Mission focuses on generating employment and empowerment opportunities for rural women through Self-Help Groups, and through support for women in agriculture.[48]

84. Schemes have also been put in place to empower women through skills training, educating them about available schemes, and through facilitating women's financial inclusion.[49] For example, to enable access to credit and thereby to income generating opportunities, the Nari Arthik Sashaktikaran Yojana (NASY) provides loans at 4% per annum to women.

85. Recognizing that women bear a large share of familial care giving responsibilities, which often limits their ability to participate equally in the workforce, the Government is committed to facilitating restructuring of workspaces to make them more sensitive to women's social circumstances.[50] The Government has proposed providing extended maternity leave, crèche facilities and day care centers, flexible working hours and safe and dignified work environments to facilitate women's equal access to employment opportunities.[51]

86. Women and other disadvantaged groups form the bulk of domestic workers who belong to the unorganized sector, and are often subject to violence, abuse, and discrimination. Currently, the protection of rights and welfare of domestic workers is the prerogative of each State. However, the Government of India is in discussions with civil society organizations on a proposed national law for the protection, welfare and social security of domestic workers.[52]

Right to an adequate standard of living

1. Poverty eradication

87. India committed to strengthen its poverty alleviation strategies and provide better living conditions for its citizens, including through consolidating programmes and socio-economic measures essential to achieve poverty reduction and social exclusion. In pursuing these policies, India undertook to pay special attention to its rural population, women and children.

88. Poverty eradication is a key element of India's developmental goals. As of 2012, 21% of India's population is under the poverty line. India is intensifying its efforts to align its policies with SDGs by focusing on education, health, gender, skills and employment, energy and infrastructure development, etc.

89. India has put in place a range of schemes and services that empower marginalised communities to overcome poverty, such as Direct Benefit Transfers, and entitlement based schemes that guarantee employment, mobilize the rural poor and caters to occupational aspirations of the rural youth.[53] To circumvent corruption and to ensure that the subsidies and benefits reach citizens directly, the Government has been issuing AADHAR cards.

2. Adequate food

90. India agreed to promote food security, support efforts to raise the standard of nutrition, and specifically to adopt the bill on food security and strengthen the Public Distribution System.

91. India has taken steps to eliminate all forms of malnutrition, by increasing food productivity. To achieve this goal, the National Food Security Act, 2013 aims to provide food and nutritional security to up to 75% of the rural population and 50% of the urban population through improvement in the Public Distribution System. The Act also makes provisions to meet the nutritional requirements of pregnant women, malnourished children, and homeless and destitute persons. This law has now been implemented throughout the country. The National Nutrition Mission, launched in 2014, supplements the law and, in particular, aims to prevent and reduce maternal and child under-nutrition. To ensure better access to food subsidy, the Government is moving towards the digitization of ration cards. The Act also has a strong gender component, in keeping with India's support for gender mainstreaming in food security programmes. The Act provides that the eldest adult woman in a household be designated the head of the household for the purpose of issuing ration cards under the Act.

92. India has put in place the National Intellectual Property Policy, 2016, in recognition of the importance of a public interest oriented approach to intellectual property for enhancing access to healthcare, food security and environmental protection, as well as other sectors of vital socio-economic importance.

93. India continues its efforts to ensure effective implementation of the Mid-day Meal scheme in schools. The Integrated Child Development Scheme (ICDS), which was introduced to ensure better nutrition, health, and overall development of children aged 0–6 years and nutritional and health support to pregnant and lactating mothers, has now been expanded to an additional 200 districts. This scheme has benefitted approximately a 100 million persons of which 18.9 million are pregnant and lactating mothers and the remaining are children under the age of 6. The 12th five year plan aims at strengthening the existing ICDS.[54]

3. Sanitation and safe drinking water

94. India committed to accelerating sanitation coverage and increase access to safe and sustainable drinking water in rural areas.

95. Consistent with the SDGs on sustainable management of water and sanitation for all, India has pledged to achieve access to adequate and equitable sanitation and hygiene for all and to end open defecation, paying special attention to the needs of women and girls and those in vulnerable situations, by 2030.

96. The Swachh Bharat Abhiyan (Clean India Campaign) is a nationwide programme launched in 2014 that aims to facilitate community-led and collective behavioural change in practices of sanitation.[55] One of the goals of the programme is to achieve an Open Defecation Free (ODF) India by 2019. To this end the Government is providing monetary incentives for building individual household latrines as well as for construction of community toilets.[56] The success of the campaign is reflected in that the sanitation coverage in rural areas was 38.76% in 2012–13, which has increased to 55.33% as of September, 2016.[57]

97. In 2013, new guidelines were framed under the National Rural Drinking Water Programme for improving its implementation. India has met the target for halving the number of households without drinking water supply in rural areas.

98. Under the Swachh Vidyalaya Campaign the Government has built separate toilets for boys and girls in every government school.[59]

99. Manual scavenging continues to persist in various part of the country. In order to abolish undignified and unsafe practice, India has enacted the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013.[60]

Housing and land

100. To achieve the SDG of Sustainable Cities and Communities, the Government has launched various measures such as the SMART Cities programme for establishing sustainable model cities;[61] the Atal Mission for Rejuvenation and Urban Transformation to provide amenities for improving the quality of life of the urban poor and marginalized; the Pradhan Mantri Gramin Aawas Yojana and Housing for All Mission 2022 to provide better housing facilities; and the Rajiv Awas Yojna to integrate slums into the formal housing system and to generate affordable housing for the urban poor.[62] In addition, the National Urban Livelihood Mission provides permanent shelters for the urban homeless. In rural areas, the MNREGA now includes within its ambit the construction of houses.

101. To ensure inclusive access to housing, the Government also provides preferential allotment in housing facilities under various schemes to marginalized communities such as minorities.[63]

102. To ensure protection of rights of homeless persons, under directions of the Supreme Court the process of physical verification of available shelters for urban homeless persons in each State/UT is underway. The verification process will also check whether the shelters comply with the operational guidelines for the Scheme of Shelters for Urban Homeless under the National Urban Livelihoods Mission (NULM).[64]

103. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 was passed by Parliament to provide a humane, participative, informed and transparent process for land acquisition. The Act also aims to bring about an improvement in the post-acquisition social and economic status of the affected persons.

104. Under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act as amended in 2012, 44,27,613 claims have been filed and 17,46,338 titles have been distributed as of May, 2016. A total of 3,863,025 claims have been disposed of, which is 87.25% of the total claims received.[65]

Right to health

105. India committed to strengthening and further supporting initiatives towards guaranteeing the right to health. In particular, India agreed to take steps towards improving access to health, especially access to maternal health and access to adequate obstetric delivery services and sexual and reproductive health services, including safe abortion and gender-sensitive comprehensive contraceptive services. It agreed to take further steps towards reducing maternal and child mortality. India also committed to taking effective measures to fully implement the National Rural Health Mission.

106. In pursuance of its constitutional obligations as well as the SDGs, India aims to "ensure healthy lives and promote well-being for all at all ages." Internationally, India has promoted Yoga as a system of holistic approaches to health and well-being. India's efforts have been warmly welcomed by the international community by adopting the resolution for celebrating the International Day of Yoga on June 21 every year in the General Assembly in 2014. Within the country, the National Urban Health Mission was launched in 2013 as a sub-mission of the overarching National Health Mission with the National Rural Health

Mission as the other sub-mission. Specific policies provide targeted resources to aid efforts to combat diseases prevalent in India.[47] India is encouraged in its efforts by its successes. The country met its target of 50% reduction in tuberculosis prevalence and resultant mortality. India received polio-free certification in March 2014. In 2013, the WHO found that India has more than halved the number of malaria cases since 2000 from 2 million to 882,000. In February 2016, India launched the National Framework for Malaria Elimination (NFME) 2016-2030 which outlines India's strategy for elimination of the disease by 2030.

107. The Mental Health Policy was launched in 2014 to provide universal access to mental health care by enhancing the understanding of mental health and strengthening leadership in the mental health sector at all levels.[48]

108. Schemes like The Janani Suraksha Yojana provides institutional delivery services to pregnant women who fall below the poverty line, so as to reduce maternal and infant mortality. While monetary assistance to beneficiaries has been streamlined through direct bank transfers, delay in opening bank accounts due to poor banking services has posed difficulties in implementation in some states.[49] India is encouraged in its efforts by the decline in Infant Mortality Rate (IMR) from 58/1000 live births in 2004–05 to 40/1000 live births in 2013. The Neonatal Mortality Rate (NMR) as per SRS 2013 is 28/1000 live births while the Under-five Mortality Rate (U5MR) is 49/1000 live births. The Maternal Mortality Rate (MMR) of India for 2011–13 is 167/100,000 live births as compared to 178 for 2010–12.

109. India has also moved to a new strategic approach, the RMNCH+A (Reproductive, Maternal, Newborn, Child and Adolescent Health) in 2013, to focus its attention on all the life stages including adolescents for targeted health interventions.[50] The National Policy on Children, 2013 also aims at providing equitable access to comprehensive, and essential, preventive, curative and rehabilitative health care, of the highest standard, for all children before, during and after birth, and throughout the period of their growth and development. In December, 2016 the Prime Minister has announced a scheme to provide pregnant women who undergo institutional delivery and vaccination of their children, a financial aid of Rs. 6,000.

110. Recognizing the need for awareness building as a key element in health related interventions, India launched programmes such as the Rashtriya Kishor Swasthya Karyakaram (RKSK) in 2014, which includes the imparting of health education through community based interventions, and the Scheme for Promotion of Menstrual Hygiene among adolescent girls in rural areas. Further, the fourth phase of the National AIDS Control Programme (NACP-IV) was launched in February 2014 which supports the training and capacity building of staff in STI/RTI Clinics (Suraksha clinics), provision of counsellors, availability of free colour-coded standardized STI/RTI drug kits, and the like. Recognizing that Men Having Sex with Men (MSMs) are a High Risk Group for HIV/AIDS, and that due to social and legal stigma such persons may not have adequate access to health services, the National AIDS Control Organization has implemented various schemes to reach out to sexual minorities.[51] India pharma's contribution of 80% of the world's antiretroviral drugs to combat HIV/AIDS is well recognised.

111. Although the overall sex ratio has increased by 7 points to reach 940 in Census 2011 as against 933 in Census 2001, the child sex ratio (0–6 years) has shown a sharp decline from 927 females per thousand males in 2001 to 919 females per 1,000 males in 2011. As a result, the Government has intensified its efforts to effectively implement the Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994. The Prime Minister's Beti Bachao Beti Padao campaign was launched in 2014 with the objective of improving the sex ratio and combating female foeticide.

112. In line with the SDG to ensure healthy lives and promote wellbeing for all, at all ages, the Government has taken the initiative of starting the National Initiative on Care for Elderly, under which special attention is given to geriatric care.[70]

113. Through the National Programme for Health Care of the Elderly which is currently implemented in 100 districts of 21 states, India seeks to provide easy access to preventive, promotive, curative and rehabilitative services for the elderly.

Right to education

114. India agreed to further promote children's right to education, especially through the continued implementation of a non-discriminatory and inclusive policy to guarantee quality education to all children. India agreed to reinforce its efforts in providing free and compulsory primary education, and to work towards the smooth implementation of the 2010 Right of Children to Free and Compulsory Education Act. With universalisation of primary education and achievement of gender parity, the Education for all programmes (Sarva Shiksha Abhiyan) is now moving into the second phase with its focus on affordable and quality secondary education. India also agreed to continue with action to include human rights education in school curricula.

115. Education is a fundamental pillar of development in any country. India therefore prioritises inclusive and quality education for all. In pursuance of this, there was a 4.9 per cent increase in the education budget in 2016.

116. Recognizing the need for equitable access to quality education for all sections of the society, India has initiated various measures to raise the literacy standards of excluded and marginalized groups and facilitate their access to education. Government scholarships for schooling and higher education targeted at women, Scheduled Castes, Scheduled Tribes, and other backward classes seek to improve their access to education.[71] Additional scholarships have been introduced for persons with disabilities at all levels of education, including for studies abroad.[72]

117. Padhe Bharat Badhe Bharat, a sub-programme of Sarva Shiksha Abhiyan, has been initiated to improve the quality of primary education.[73]

118. Various schemes and measures promote higher education for marginalized groups, and facilitate their access to advanced educational opportunities. Scholarships like the Swami Vivekananda Single Girl Child Scholarship for Research in Social Sciences and PRAGATI (Providing Assistance for Girls' Advancement in Technical Education Initiative) work towards these goals. The Government has initiated a scheme called UDAAN, to increase the enrolment of women, Scheduled Castes, Scheduled Tribes and minorities in professional education, especially in science and mathematics.[74] Special scholarship schemes have been launched to facilitate access to quality higher education for students from the North Eastern states.

119. To address demands from marginalised sections, the Government has constituted a committee to advise the Government on matters relating to the educational needs and issues faced by Scheduled Caste and Scheduled Tribe students. Universities have also been directed to establish equal opportunity cells to facilitate responsiveness to the needs of disadvantaged groups.

120. India has been prioritizing ICT enabled enhancement of learning opportunities to facilitate access to the highest quality educational resources.[75]

121. India is working towards a policy for meeting the educational needs of children between 0-6 years. The National Early Childhood Care and Education (ECCE) Policy of 2013 permits universal and equitable access for all children in a decentralized manner and ensuring a continuum of ECCE in a life cycle approach.[76]

122. The national curriculum for school education of the National Council of Educational Research and Training (NCERT) has included human rights education component in social science subject. Teachers training programmes has also been prepared under the guidance of NHRC.

D. Rights of specific persons or groups

Women

123. India committed to continuing its efforts and initiatives for eradicating violence and discrimination against women, and for the equality and empowerment of women. Towards this end, India agreed to continue incorporating gender perspectives in its programmes and development plans. India specifically committed to improving measures for preventing violence against women, including sexual violence. India agreed to continue promoting the rights of women in their choice of marriage, and to address the skewed sex ratio, including through more stringent enforcement of the prohibition on pre-natal sex selection.

124. India is undertaking a range of measures to improve the condition of women in the country.[77] To enable the integration of gender perspectives into policy formulation and implementation, and to ensure that women's concerns are given equal weightage in developmental agendas, the Government of India remains committed to its Gender Budgeting Scheme. So far, 56 Ministries/Departments have confirmed setting up this monitoring mechanism.

125. Various forms of violence like acid attacks, stalking, public stripping, voyeurism, etc, have now been incorporated into the penal code as distinct offences.[78] Schemes for compensating and rehabilitating victims and survivors of various forms of violence have been put in place by the state governments.[79] Women's helplines provide immediate and holistic response to those facing violence, including through urgent intervention, as well as facilitating access to health services, counselling and legal aid.

126. India remains committed to combating sexual violence against women and children. In the aftermath of a tragic gang rape in New Delhi in December 2012, the Government of India set up the Justice J. S. Verma Committee to suggest measures for addressing violence against women. Based on the recommendations of this Committee, various law reforms were introduced. Laws relating to sexual violence were comprehensively reviewed and overhauled to recognize the multiple forms and sites of sexual violence. New procedures and evidentiary requirements were also put in place to aid swift and successful prosecutions.

127. India also enacted a new law to deal with sexual violence against children of all genders.[80] This law provides for stringent punishment, special courts, as well as procedural measures to protect the child during investigation and trial.

128. India has enacted a law requiring employers to provide effective redressal to women complaining of sexual harassment, and to take other measures for fostering a gender sensitive, safe working place for women.[81] In addition, sexual harassment has been made a distinct criminal offence.[82]

129. Apart from legislative reforms, the Government has put in place various schemes to strengthen the safety and security of women in the country.[83] The Nirbhaya Fund is one such example. India has also been launching one stop centres to provide single point access to women affected by violence and to provide them medical and police assistance, psycho-social support, legal aid and counselling, and temporary shelter.[84] The Government has recently proposed a National Policy for Women which supports a holistic approach to addressing violence against women.

130. India is building a gender-responsive and sensitized police force through training programmes, performance appraisal, and by encouraging 33% reservations for women in the police force.

Children

131. India agreed to continue its efforts to protect children from exploitation including sexual exploitation, to protect their fundamental rights, dissuade child marriage, continue efforts at rehabilitation of child labourers, prohibit corporal punishment of children, and overall give children the opportunity and assistance to grow up in an environment of freedom and dignity.

132. With over 450 million children, India is home to the largest child population in the world. The National Policy for Children, 2013 places issues relating to children within a rights based approach and recognizes children as individuals with rights and responsibilities appropriate to their age and level of maturity.[87] The National Early Childhood Care and Education Policy, 2013, seeks to ensure a sound foundation for survival, growth, and development of children. Both policies require that children should be protected from all forms of harm and exploitation, and should be provided with a caring and enabling environment. To this end, the Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act) criminalizes corporal punishment.

133. The JJ Act, 2015 has overhauled the system of administration of justice in relation to children in need of care and protection, as well as children in conflict with the law. The Act has introduced new penalties for the exploitation and abuse of children, as well as measures to prevent their exposure to drugs and intoxicants. While previously, persons below the age of 18 were tried as juveniles for all offences, under the 2015 Act, persons in the 16-18 age group can be tried as adults for heinous crimes. Although this change has been criticised for not recognizing the special circumstances of children in the 16-18 age group, the Government believes that this move is necessary in light of incidents of heinous crimes being committed by persons in that age group.

134. India is encouraged by the reduction in rates of child marriage. India remains committed to working towards the elimination of this harmful practice, through enforcement of the Prohibition of Child Marriage Act as well as through awareness raising.

135. India has recently enacted the Child Labour (Prohibition and Regulation) Amendment Act, 2016.[88] In order to align the child labour policy with the Right to Education Act, the new law prohibits child labour below the age of 14 except after-school work in family enterprises, and permit labour in the age group 14-18 only in non-hazardous industries.

136. The National Child Labour Policy (NCLP) is being implemented in 270 districts of the country to enable rehabilitation of children who have been withdrawn from work. Each district has special schools/training centres which provide bridge education, vocational training, mid-day meal, stipend, health care, and recreation, amongst other facilities. The ultimate aim of the programme is to prepare children for integration into the formal education system.[89]

Persons with disabilities

137. India committed to ensuring better protection for persons with disabilities, and to prioritizing efforts to ensure equal access to education for children with disabilities.

138. 2.21% of the Indian population is disabled. India recognizes the need to take special measures to ensure that persons with disabilities enjoy the full range of human rights and fundamental freedoms, live a life of dignity, free from violence, harassment and

discrimination, want and marginalization. As the first signatory to the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled, India recognizes the importance of creating an enabling legal and policy environment for making resources, amenities and facilities accessible to persons with disabilities. To this end, India launched the Accessible India Campaign, for achieving universal accessibility, barrier free environments, and a supportive ecosystem for persons with disabilities.[88] The campaign aims to fulfil India's commitments under the Incheon Strategy, as well as facilitate access to rights under the Convention on Rights of Persons with Disabilities to which India is a party. Through amendment to its copyright law, India has facilitated availability of knowledge resources in an accessible format. The National Policy on Universal Electronic Accessibility facilitates equal and unhindered access to electronics and Information and Communication Technologies (ICT) products and services by persons with disabilities.

139. In December, 2016, the Indian Parliament passed a new law on the rights of persons with disabilities. This law aims to facilitate greater access to public spaces, education, employment, and healthcare, and the integration and protection of rights, particularly of persons with mental illness or disability. The Act increases the number of recognised disabilities from 7 to 21, including disability due to acid attacks, thalassemia, haemophilia, muscular dystrophy, learning disabilities and Parkinson's.

140. Recognizing the need for measures targeted at extending the benefit of developmental gains to persons with disabilities, India has also put in place a number of schemes aimed at providing them with better access to education, vocational training, financial assistance, shelter, and overall care and development.[89] To ensure greater access to benefits under these laws and schemes, India is implementing a Unique Identity Card for persons with disabilities.

Older persons

141. India committed to ensure better protection for the elderly.

142. 10% of India's population comprises senior citizens. Recognising that elderly persons face various vulnerabilities due to their age, and consistent with our commitment to the Madrid Plan of Action, we have taken numerous steps to ensure a life of dignity for the elderly. Policies and schemes including the National Policy on Older Persons, 1999, the National Programme for Health Care of Elderly, pension schemes and legal assistance programmes, are being implemented by the Government of India in collaboration with other partners for ensuring that the elderly not only live longer but also lead a secure, dignified and productive life. By revising the Integrated Programme for Older Persons, the Government has provided assistance to various local bodies and NGOs to secure the basic needs of the elderly, productive ageing, intergenerational bonding and awareness building. India is also in the process of revising its National Policy on Older Persons taking into account changing demographic pattern, socio-economic needs, social value system and advancement in the field of science and technology over the last decade. In December, 2016, Prime Minister has announced a new scheme for Senior Citizens guaranteeing 8% interest on fixed deposit of up to Rs. 7.5 lakh with 10 years lock in and monthly payment.

Sexual orientation and gender identity

143. India agreed to study the possibility of eliminating any criminalisation of same sex relations.

144. Section 377, Indian Penal Code, criminalizes homosexuality. In 2009, the Delhi High Court declared this section to be unconstitutional.[90] This decision was reversed by the Supreme Court of India in 2013.[91] However, the Supreme Court in February 2016 agreed to

another hearing on the matter, which is now *subjudice*.[92] In a related judicial development, in 2014, the Supreme Court recognized that sexual orientation and gender identity are integral to a person's personality and are "basic aspects of self-determination, dignity and freedom."[93] The Court stated that discrimination on the basis of sexual orientation violates India's constitutional guarantee of equality.[94]

145. In 2014, the Supreme Court of India recognized that discrimination, violence and prejudice based upon a person's gender identity, as well as the non-recognition of transgendered persons in law, violates India's constitutional commitments to equality, liberty and life with dignity.[95] The Court directed the state to include transgendered persons within the categories eligible for various affirmative action schemes. In 2016, the Transgender Persons (Protection of Rights) Bill, 2016 was introduced in the Lok Sabha. This Bill seeks to protect transgendered persons from violence and discrimination. It also provides for equal opportunities in education, employment and residence. Simultaneously, the Government is working on an Umbrella Scheme for the Welfare of Transgender Persons. India has also taken various steps to make state practices and public spaces safe and inclusive for transgendered persons.[96]

Minorities

146. The Government has undertaken a range of measures pertaining to minority education, skill development, access to credit, infrastructural and social development of regions with high concentration of minority populations, affirmative action measures, etc.[97] The Government earmarks 15% of its outlay on various schemes and programmes for socio-economic empowerment, for minorities. *Khidmat*, a toll-free helpline increases access to information on schemes for minorities.

147. The National and State Commissions for Minorities continue to monitor complaints from minority communities regarding issues of discrimination and disadvantage faced by them.

Scheduled Castes and Scheduled Tribes

148. India has put in place a robust affirmative action programme to secure substantive equality for all. Affirmative action in education and public employment, along with electoral reservations seek to ensure that access to public resources is not confined to any particular group. Recognizing that in the changed economic scenario, private employment is a key source of economic wellbeing, the Government of India has been working with industry associations to voluntarily extend affirmative action in the private sector. As a result of these efforts, many companies have adopted a voluntary code of conduct and are providing persons belonging to Scheduled Castes and Scheduled Tribes with scholarships and vocational training to enhance their employability.[98]

149. India has amended the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989 to expand the forms of caste based atrocities recognized under that law and has been notified with effect from 26 January, 2016. The amended Act has also introduced a new chapter on the rights of victims and witnesses. Through the creation of Exclusive Special Courts and Exclusive Special Prosecutors for offences under the Act, India seeks to provide timely and effective response to such atrocities.

150. State governments have also taken various steps to prevent and punish atrocities against scheduled castes and scheduled tribes, including through establishing special crime cells, identifying sensitive areas, and setting up state and district level vigilance and monitoring committees. The National Commission for Scheduled Castes and Scheduled Tribes also monitors cases of atrocities.

E. Coordination with the UN, NHRIs and other stakeholders

151. India committed to continue its cooperation with the UN and other International Organizations, including through sharing good experiences and practices with other countries and extending support in efforts to combat human rights violations. India also agreed to continue its cooperation with Special Procedures and accept requests for visits from Special Rapporteurs. India has pledged to help other countries with capacity building to promote the work of the Human Rights Council.

152. India agreed to further its coordination with national human rights institutions as well as well civil society organizations, and to continue involving civil society in the UPR process.

153. India believes that progress towards realizing its human rights obligations requires constant dialogue, engagement and coordination with various stakeholders, and in particular with other national authorities and human rights institutions. The NHRC serves as the nodal point for such coordination through the Statutory Full Commission comprising the chairs of all national level human rights commissions and institutions.

154. Recognizing that a vibrant civil society keeps the Government accountable for its commitments, and provides crucial feedback for drafting effective policy responses for advancing human rights, India routinely publishes proposed acts, schemes and policies for public comment and discussion, and has done the same with the draft of its National Report for UPR III. The National Policy on Children is an example of a policy drafted through such a wide-spread consultative process.

155. As a proud member of the United Nations, India remains committed to cooperating with international organizations as well as other countries individually in a spirit of reciprocity and comity, to raise the standards of human rights within the country and across the world. India has in place a standing invitation to UN Special Procedures mandate holders to visit the country at a mutually convenient time. Ten mandate holders have visited India since 2000 including the visit by Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context in 2016. Further, another two SRs visits are being scheduled for 2017–18.

Notes

[1] India played an important part in the inter-governmental negotiations towards the finalisation of the 2030 Agenda that seeks to realise human rights for all and to leave no one behind.
[2] Vellore Citizens' Welfare Forum v. Union of India, AIR 1986 SC 2715.
[3] India plans to install 100 GW solar energy out of a total of 175 GW of renewable energy by 2022.
[4] Compensatory Afforestation Fund Management Planning Authority Portal E-Green Watch (An online web portal which seeks to collect and present information to monitor and track how well CAMPA funds are achieving their ends); School Nursery Yojana (aims to brings students closer to nature and increase forest cover by planting trees for a sustainable future); NagarvanUdyanYojana (aims to create and develop at least one city forest in each city); National Afforestry Programme; National Green India Mission (approved as a centrally sponsored scheme in 2015); National Green India Mission and MNREGA Convergence Guidelines 2015 and National Green India Mission and CAMPA Convergence Guidelines 2015 (aim to increase coordination between the rural sector and environment to increase forest cover in an integrated development approach).
[5] National Water Use Efficiency Improvement Support Programme, Guidelines for Improving Use Efficiency in Irrigation Domestic and Industrial Sectors (2014), Under Pradhan MantriKrishiSinchayeeYojana (2015) (aims to achieve convergence of investments in irrigation and expand the cultivatable area to improve water use efficiency and reduce scarcity).
[6] National Action Plan for Conservation of Aquatic Eco-Systems (2013).
[7] Integrated Ganga Conservation Mission – NamamiGenge (2014); Ganga Management Plan (2015); Damn Rehab litation and Improvement Project (2012); Guidelines for Continuation of Scheme on Repairs, Renovation and Restoration of Water Bodies (2013); Guidelines for Implementation for R & D Programme (2013), Jal KrantiAbhiyan (aims to consolidate water conservation and management efforts in the country through grassroot level, Panchayati Raj participation, awareness drives on conservation, security and management of water, and providing Suraj Cards for information on water requirements of various crops).
[8] An additional 16 states have initiated procedures for the enactment of the model bill.
[9] The Delhi State Government has launched the Odd-Even vehicles scheme to ration vehicle usage and thereby reduce vehicular pollution. Delhi also now provides a real-time assessment of ambient air quality.
[10] Perform, Achieve and Trade Scheme (aims to achieve enhanced energy enhancement through trading of energy saving certificates based on reduced carbon emissions); National Smart Grid Mission; Energy Conservation Rules 2012; National Energy Efficient Agriculture Pumps Programme; National Energy Efficient Fan Programme; National Policy for Bio-Fuels (2015); Renewable Energy Global Investment Promotion Meet and Expo; Scheme for Ultra Mega Solar Parks and Solar Projects; Mission Innovation (A global initiative which aims to reinvigorate and accelerate global clean energy innovation with the objective to make clean energy widely affordable, create green jobs).
[11] National Clean Energy Fund.
[12] The Registrar General, HC of Meghalaya v. State of Meghalaya; WP (C) No. 127 of 2015 (Meghalaya High Court).
[13] Naga Peoples' Movement of Human Rights v. Union of India, (1998) 2 SCC 109.
[14] Extra Judicial Execution Victim Families Association (EEVFAM) v. Union of India, 2016, Supreme Court of India.
[15] Section 43D, Unlawful Activities (Prevention) Act, 1967. Similar provisions are found, for example, in the Narcotic Drugs & Psychotropic Substances Act, 1985 in Sections 36A, 42 and the Maharashtra Control of Organised Crime Act, 1999 in Section 21.
[16] Such as those pertaining to voluntarily causing grievous hurt, or causing grievous hurt to extract a confession, etc.
[17] Arnesh Kumar v. State of Bihar AIR 2014 SC 2756.
[18] PUCL v. State of Maharashtra (2014).
[19] Extra Judicial Execution Victim Families Association v. Union of India, W.P. (Cr.) 129 of 2012 (Supreme Court of India, 2016).
[20] Bachan Singh v. Union of India, AIR 1980 SC 898.
[21] Shatrughan Chauhan v. Union of India, (2014) 3 SCC 1, 241.
[22] Law Commission of India (Report No. 245: Arrears and Backlog: Creating additional judicial (wo)

manpower) [7 July 2014].

[23] Shatrughan Chauhan v. Union of India, (2014) 3 SCC 1.

[24] In Re: Inhuman Conditions in 1382 Prisons AIR 2016 SC 993.

[25] As part of this collaboration, legal aid clinics have been set up and paralegal volunteers have been trained to provide legal aid. Legal awareness campaigns are also planned as part of this project across the country.

[26] This scheme aims to provide meaningful, effective, and age-appropriate legal assistance to children in need of care and protection as well as children in conflict with the law, and to strengthen institutional care, counselling and support services to them.

[27] In Re: Inhuman Conditions in 1382 Prisons AIR 2016 SC 993.

[28] Sections 124A, 153A, 153B, 295A, 505, Indian Penal Code 1860; Section 144, Criminal Procedure Code, 1973; Section 5, Official Secrets Act, 1923; Sections 67, 67A, 67B, Information Technology Act, 2000.

[29] Subramniam Swamy v. Union of India, W.P. (Criminal) No. 184 of 2014, which upheld criminalization of defamation.

[30] Shreya Singhal v. Union of India (2013) 12 SCC 73.

[31] Shreya Singhal v. Union of India (2013) 12 SCC 73.

[32] §§ 370 an 370A, Indian Penal Code 2013. These amendments expand the definition of trafficking and related exploitation, in line with India's obligations under the Palermo Protocol.

[33] Specifically, the Training of Trainers (ToTs) programme for law enforcement agencies and Judicial Colloquims for judges and magistrates.

[34] Bachpan Bachao Andolan v. Union of India (2014) 16 SCC 616.

[35] Amongst others, National Legal Services Authority's NALSA (Victims of Trafficking and Commercial Sexual Exploitation) Scheme 2015 is meant to provide legal services to address concerns of victims of trafficking; Swadhar Greh Scheme seeks to provide temporary accommodation to women in difficult circumstances. Through the Ujjwala Scheme, a comprehensive scheme for prevention of trafficking and rescue, rehabilitation and re-integration of victims of trafficking and commercial exploitation, the Government has created capacity to rehabilitate above 8000 women and children. This is in addition to the capacity created by State/Provincial Governments. Annually about 10,000 women availed the facility during the last 2 years.

[36] The following schemes are listed under the Act:

1. Indira Gandhi National Old Age Pension Scheme
2. National Family Benefit Scheme
3. Janani Suraksha Yojana
4. Handloom Weavers' Comprehensive Welfare Scheme
5. Handicraft Artisans' Comprehensive Welfare Scheme
6. National Scheme for Welfare of Fishermen and Training and Extension
7. Janshree Bima Yojana and Aam Admi Bima Yojana
8. Rashtriya Swasthya Bima Yojana

[37] Started in 1995, the NSAP comprises five schemes, namely –

1. The Indira Gandhi National Old Age Pension Scheme (IGNAOPS), wherein assistance is provided to persons aged 60 years or above and belonging to a Below Poverty Line (BPL) family;
2. The National Family Benefit Scheme, wherein upon the death of the primary breadwinner aged 18-59 years, the BPL household is entitled to compensation amount;
3. Indira Gandhi National Widow Pension Scheme (IGNWPS), wherein BPL widows aged 40-79 years receive pension benefits;
4. Indira Gandhi National Disability Pension Scheme (IGNDPS), wherein BPL persons with severe or multiple disabilities and aged 18-79 years receive pension benefits.
5. Annapurna Scheme, wherein the old-aged beneficiary is entitled to 10 kg free food grains per month.

[38] Contributors to this scheme will be eligible for pension on a monthly basis after a certain period of contributions.

[39] Over 37.1 million smart cards had been issued under this scheme as of 30th April 2014. The programme targets covering 70 million households by 2017.

[40] The Scheme covered 45.4 million beneficiaries by the start of 2014–15.

[41] Dealing respectively with Wages, Industrial Relations, Social Security and Welfare, and Safety and

Working Conditions.

[42] National Council for Cooperative Training and the National Centre for Cooperative Education. The Council conducts training programmes as per the needs of cooperative sector. Through such training, participants are equipped with the necessary knowledge, skills and aptitude required to manage the cooperative enterprises. 26934 persons have been the beneficiaries of these training programmes in the year 2016–17 (up to September 2016).

[43] So far over 20 million youth have been trained under this programme.

[44] Deen Dayal Antyodaya Yojana i.e. National Rural Livelihood Mission (NRLM) (covering 864,768 beneficiaries under the 12th 5 Year Plan (up to September, 2016); The Prime Minister's Employment Generation Programme (PMEGP); National Skill Development Fund (NSDF); Sampoorna Gramin Rozgar Yojna (set up with the objective of providing additional wage employment in all rural areas and thereby provide food security and improving nutritional levels. A secondary objective is to create a durable community, social and economic assets and infrastructural developments in rural areas. Between 2012 and 2016, Rs. 1,693.5 billion was spent on this scheme and benefited around 350 million persons).

[45] Many such schemes affirmatively target excluded communities for financial inclusion, promotion of entrepreneurship, and for facilitating other avenues of income generations.

[46] S. 66, S. 22, S. 47 of the Factories (Amendment) Bill, 2014.

[47] Women Cooperative Education Field Projects. Under this, the National Cooperative Union of India has catalyzed the formation of 270 SHGs with 2501 members. Further, 10098 women availed benefits through several income generating activities. In 2016-17 (up to September, 2016) 3831 events were conducted for 44941 participants under this programme).

[48] The mission has covered 32.4 million rural poor households and mobilized around 2.64 million Self Help Groups, since its inception. That India has the largest women self-help group network, and that 80% of micro-credit loans are utilized by women, reflects the success of these schemes.

[49] Support to Training and Employment Programme for Women (STEP) Scheme; National Mission For Empowerment of Women. At its 52nd meeting in 2014, the Governing Body of Rashtriya Mahila Kosh set a target of assisting ten lakh women over the next three years.

[50] Rajiv Gandhi National Creche Scheme for Children of Working Mothers. There are 23,923 creches as of January, 2015.

[51] Draft National Policy for Women, 2016.

[52] Further, the National Skill Development Corporation has set up the Domestic Workers Sector Skill Council in early 2016 to ensure better employment prospects for domestic workers through skills development.

[53] Direct Benefit Transfer; Mahatma Gandhi National Rural Employment Act, 2005 (MNREGA) (In the financial year 2015-16, the Government had made a budgetary provision of Rs 346.99 billion for MGNREGA and in the financial year 2016-17, Rs 385 billion has been allocated for the same. Up to 18th February, 2015, 38 million households have been provided employment. The share of SCs, STs and Women is 22.6 per cent, 16.8 per cent and 55.1 percent respectively. The share of women in total person-days generated is well above the stipulation of 1/3 as per the Act. Now, at least 60 per cent of the work in terms of the cost in the district will be taken up for the activities related to development of land, water and trees). India has set aside funds amounting to Rs. 2.05 billion for Self Help Groups under the National Rural Livelihoods Mission, which was utilized to enter 32,573 villages, in 2013-14. *See also*, Deen Dayal Upadhyaya Grameen Kaushalya Yojana – Skill Development for Inclusive Growth.

[54] In 2012, India launched the ICDS Systems Strengthening and Nutrition Improvement Project (ISSNIP) with the assistance of the World Bank to improve the implementation of ICDS. The Kishori Shakti Yojana years has also been started under ICDS to improve the nutritional status of adolescent girls between the age of 11–18.

[55] For this purpose, the Government has organized awareness campaigns, advertisements and mass cleanliness drives in both rural and urban areas.

[56] As on 30 September, 2016 a total of 90,006 villages and 27 districts of the country have been declared ODF.

[57] 241.51 lakh Individual household latrines (IHHLs) have been constructed from 2.10.2014 to 30.9.2016 under SBM(G). In addition, 15.30 lakh IHHLs have been constructed under MGNREGS since 2.10.2014. 90,006 villages have been declared Open Defecation Free (ODF) as on 30.9.2016.

Also 27 districts have been declared ODF.

[58] 226,000 toilets for boys and 191, 000 toilets for girls have been constructed from 15.8.2014 to 15.8.2015 under the Swachh Vidyalaya Campaign.

[59] This law prohibits the employment of persons as manual scavengers, the manual cleaning of sewers and septic tanks without protective equipment, and the construction of insanitary latrines.

[60] The Smart City Mission was launched on 25 June 2015. Since the launch of the Mission and till September, 2016, total Rs. 47.01 billion has been allocated by Government of India under Smart Cities Mission. So far, 60 cities (20 cities in Round 1 in January, 2016, 13 cities in fast track round in May, 2016 and 27 cities in Round 2 in September, 2016) have been selected for development as Smart Cities under the Mission. Since the launch of the Mission and till date, Rs. 45.72 billion has been released to States/UTs under Smart Cities Mission.

[61] Pradhan Mantri Gramin Aawas Yojana, 2016. The Government proposes to improve the standards of living conditions by providing pucca houses to all rural poor by 2022 and the Ministry of Rural Development has launched schemes to provide assistance to landless poor, and is offering grants to construct houses in hilly areas and plain areas, wherein 15.92 lakh houses out of the targeted 24.81lakh houses were constructed in the year 2013-14. As of date, Rs. 150 billion has been allocated under this scheme, benefiting over 13.35 million beneficiaries between 2012 and 2016; Rajiv Gandhi Grameen Vidyutikaran Yojana. The Rajiv Rinn Yojana scheme; Rajiv Awas Yojana Scheme.

[62] 15% of financial and physical targets under National Urban Livelihoods Mission are earmarked to benefit people below the poverty line from minority communities. Under the Basic Services to the Urban Poor (BSUP)/Integrated Housing & Slum Development Programme (IHSDP) components of JNNURM, 15% of the Central allocation is to be earmarked for the Minority communities. States/UTs were requested to give priority to the cities/slums predominantly inhabited by minority communities (i.e. where the minority population is 25% or more).

[63] E. R. Kumar & Others Vs Union of India & Others, WRIT PETITION (CIVIL) No. 572 of 2003 dated 11/11/2016 (Supreme Court of India).

[64] The decision making power in relation to land acquisition affecting areas covered under the Act vests with the local self-government bodies.

[65] National Road Map for Kala-Azar Elimination, August 2014.

[66] The National Mental Health Programme consists of various district level and tertiary/central level activities in the country. Support has been provided to establish 18 centres of excellence in the field of Mental Health and to strengthen/establish 39 post graduate training departments in mental health specialities. Additionally, the National Mental Health Programme supports activities in 339 districts.

[67] To further its commitment to improving maternal and child health, the Government has increased allocation under the scheme from Rs. 16.06 billion in 2011–12 to Rs. 17.62 billion in 2013–14.

[68] See also, Universal Immunization Programme, Janani Suraksha Yojana, Janani Shishu Suraksha Karyakaram Essential and Emergency Obstetric Care, Navjat Shishu Suraksha Karyakaram, Special Newborn Care Units, Newborn Stabilisation Units, Newborn Care Corners, Home Based Newborn Care, Kangaroo Mother Care, establishment of Nutritional Rehabilitation Centres.
The Rashtriya Bal Swasthya Karyakaram (RBSK) was launched in 2013 to provide strategic interventions and identification of deficiencies, diseases and development delays in children. In furtherance of the Global Every Newborn Action Plan (ENAP), the India Newborn Action Plan has been launched to take forward the Global Strategy for Women's and Children's Health. Mission Indradhanush, launched in 2015, seeks to immunize children against seven life-threatening but vaccine preventable diseases.

[69] Targeted Interventions (TI) have been made by NACO through schemes which involve providing care and counselling through support group meetings where discussions on issues like sexual identity, dealing with harassment and substance abuse, amongst others. A Link Worker Scheme has been introduced in rural areas around a community-centred model which will help build the area's capacity of HIV/AIDS prevention through building awareness, creating a demand for access to health services and reaching out to High Risk Groups.

[70] Central assistance is also being provided to support the Free Drugs and Diagnostics Service Initiative, 2015 and to strengthen ambulatory services, human resources, community participation, primary health care services, family welfare centres, redevelopment of hospitals and dispensaries.

[71] Pre-Matric Scholarship for SC students studying in classes IX and X.

[72] http://mhrd.gov.in/sites/upload_files/mhrd/files/upload_document/NOS-sudents-disabilities.pdf

[73] For access to resources that facilitate a quality education, the National E-library has been set up with more than 1.5 million titles.

[74] See also, National Fellowship for OBCs; New scheme of Interest Subsidy on educational loan for Overseas studies for OBC students; Dr. Ambedkar Pre-Matric and Post-Matric Scholarship Scheme for the DNT students; Nanaji Deshmukh Scheme of Construction of Hostels for DNT Boys and Girls; Dr. Ambedkar's Post-Matric Scholarship Scheme has been launched for Economically Backward Classes for OBCs.

[75] Initiatives like E-Paathshala and SWAYAM (Study Webs of Active Learning for Young Aspiring Minds) facilitate this goal.

[76] The Law Commission of India recently submitted a report on "Early Childhood Development and Legal Entitlements" which is under consideration by the Government.

[77] To enable greater participation by women in the highest decision making bodies, the Women's Reservation Bill, which aims to introduce 33% reservations in Parliament, was introduced and is currently pending in Parliament.

[78] *See* §§ 326A, 326B, 354A, 354B and so on, Criminal Law (Amendment) Act, 2013.

[79] National Human Rights Commission, Scheme for Relief and Rehabilitation of Victims of Rape, 2005 and Scheme for Relief & Rehabilitation of Offences (by Acids) on Women and Children 2009.

[80] Protection of Children from Sexual Offences Act, 2012 (POCSO Act).

[81] Sexual Harassment of Women at Workplace (Prevention, Prohibition, Redressal) Act, 2013.

[82] § 354A, Indian Penal Code 2013.

[83] Amongst others, the Integrated Computer Aided Dispatch (CAD) is a platform which supports a Geographical Information System (GIS) Based Call Taking which will receive a distress call and dispatch a Global Positioning System (GPS) fitted Police vehicle to the spot of violence. Further, 150 units of Investigating Units on Crime Against Women (IUCAW) have been set up in different States/Union Territories to create a dedicated investigative capacity to fast track investigation.

[84] The Ministry of Women and Child Development formulated the scheme of Setting up One Stop Centre (OSC) to support women affected by violence which is being implemented since 1st April 2015. Under the scheme, it has been envisaged that One Stop Centres would be set up across the country in phased manner. In the first phase, funds were released to 33 States/UTs. Further, 150 additional centres are taken up in second phase during 2016-17 which have been approved for 20 States/UTs. So far 20 centres have become operational.

[85] The objective of the Policy is to enable greater protection, participation and education of children in addition to improving their health and development.

[86] The law stems from the recognition that children constitute a large segment of the Indian population, and that the future social, economic and political development of the country depends on their wellbeing. India is committed to protecting the rights of children, to prevent exploitation in all forms and to create a better world for the next generation.

[87] The number of children mainstreamed into formal education under this scheme increased from 72,976 in 2012–13 to 116,957 in 2014–15. While the expenditure on NCLP has been significantly reduced in recent years, there has been a simultaneous increase in allocation of funds for various education related welfare schemes targeting vulnerable and marginalized communities. This realignment of funds ensures targeted delivery of scheme benefits to such communities.

[88] Accessible India Campaign: Creation of Accessible Environment for Persons with Disabilities (Department of Empowerment of Persons with Disabilities & Ministry of Social Justice and Empowerment, Government of India). India has launched the National Action Plan for Skill Development for 2.5 million persons with disabilities by 2022. Model Building Byelaws have been revised in March 2016 which contain separate provisions for persons with disabilities, older persons and children. These rules are applicable to all buildings and facilities used by the public. India jointed a group of countries in voicing our support for inclusion of the needs of persons with disabilities in the Sendai Framework for Disaster Risk Reduction 2015-2013. As a member of the Asia Pacific Group, India recently hosted Working Group Sessions on Asia Pacific Decade of Persons with Disabilities constituted under the United Nations Economic and Social Commission for Asia and Pacific (UNESCAP) for implementation of the Incheon Strategy- Make the Right Real for Persons with Disabilities.

[89] Construction of Colleges for the Deaf in Five Regions of the Country; Research on Disability Related Technology, Products, and Issues; Central Sector Scheme of "Support for

Establishment/Modernization/Capacity Augmentation of Braille Presses"; Pre-Matric and Post-Matric Scholarships for Students with Disabilities; Rajiv Gandhi National Fellowship for Providing Scholarships to Students with Disabilities to Pursue Programmes; Provision of Travelling Allowance for an Attendant/Escort Accompanying a Government Servant with Disabilities on travel during tour/training; National Overseas Scholarship for Students with Disabilities for Studying Abroad; Aids/devices for Leprosy-Affected Persons; Aids/devices for visually-impaired persons; National Fellowship Scheme for Persons with Disabilities for pursuing M.Phil/Ph.D. courses; Scheme of Financial Assistance for Skill Training of Persons with Disabilities; Scheme of Setting up of State Spinal Injury Centres.

[90] Naz Foundation v. Government of NCT160 DLT 277.

[91] Suresh Kumar Koushal and Anr. v. Naz Foundation and Anr. (2014) 1 SCC 1.

[92] Naz Foundation Trust v. Suresh Kumar Koushal 2016 (2) SCALE 553.

[93] National Legal Services Authority v. Union of India (2014) 5 SCC 438, 20.

[94] *Id* at 55.

[95] National Legal Services Authority v. Union of India (2014) 5 SCC 438.

[96] *For example*, some states like West Bengal and Tamil Nadu have instituted Transgender Development Boards, which have taken steps to introduce transgender-friendly washrooms in universities, supply transgender persons with health insurance and ration cards, and devise transgender-specific pension schemes. The Ministry of Social Justice & Empowerment recently took cognizance of bonded labour practices specific to transgender communities and reached out to help them.

[97] Implementation of Sachar Committee Recommendations (Status Report as on 31st March, 2015).

[98] 935 member companies of the Confederation of India Industry have adopted the Voluntary Code of Conduct. 260,174 candidates from SC/ST community have been trained in vocational skills; 128,362 students from SC/ST community have been provided scholarships and 106 entrepreneurship development training programmes have been held. 478 member companies of the Federation of Indian Chamber of Commerce and Industry have adopted the Voluntary Code of Conduct. They awarded 2,493 scholarships to SC/ST students and trained 261,750 persons belonging to these communities. In addition to this, 38,380 students belonging to the SC/ST communities have been provided free education. 1,038 member companies of the Associated Chamber of Commerce and Industry of India have adopted the Voluntary Code of Conduct. 35,956 candidates have been trained under the Skill Development Programme and 3,387 students belonging to SC/ST communities have been provided scholarships to study in premier institutions. 3,830 students have received entrepreneurship development programmes.